

United States Bankruptcy Court

For the NORTHERN District of IOWA

MAR 28 1990

IN RE: WILLIAM E. HENRICKSON, Debtor.

Chapter 7 BARBARA A. EVERLY, CLERK

Case No. X85-01760F

CLIVE V. CLARK, Trustee,

Plaintiff

v.

EVELYN E. HENRICKSON and
COMMON TITLE BOND & TRUST
pc

Defendants

Adversary Proceeding No. X89-0204F

JUDGMENT

☐ This proceeding having come on for trial or hearing before the court, the Honorable William L. Edmonds, United States Bankruptcy Judge, presiding, and the issues having been duly tried or heard and a decision having been rendered,

[OR]

☒ The issues of this proceeding having been duly considered by the Honorable William L. Edmonds, United States Bankruptcy Judge, and a decision having been reached without trial or hearing, by default,

IT IS ORDERED AND ADJUDGED:

that the Deed of Trust and Assignment of Rents filed in the office of the Recorder of Hamilton County, Iowa on December 30, 1987 in Book 173, pages 360-362 (Inst. # 873341) creates no lien, claim or interest on the following described property:

East One-half (E 1/2) of the Southeast Quarter (SE 1/4) of Section 8, Township 87 North, Range 24 West of the 5th P.M., Hamilton County, Iowa;

and



that any lien, claim or interest created by the Deed of Trust and Assignment of Rents is null and void as against the property described in the Complaint or proceeds from the sale of that property.

Vol. II
Page 193

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3/28/90, *jm*

BARBARA A. EVERLY

Clerk of Bankruptcy Court

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

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IN RE:)	
)	
WILLIAM E. HENRICKSON,)	CASE NO. X-85-01760-F
)	CHAPTER 7
Debtor(s).)	

CLIVE V. CLARK, Bankruptcy
Trustee in these Proceedings,

Plaintiff,

vs.

EVELYN E. HENRICKSON,
Trustee of the Middents Trust;
COMMON TITLE BOND & TRUST pc,
Trustee under a deed recorded in
Book 173. page 360 of the Land
Records of Hamilton County,
Iowa,

Defendants.

ADVERSARY NO.
X-89-0204F

FILED
U.S. BANKRUPTCY COURT S.C.
NORTHERN DISTRICT OF IOWA

MAR 28 1990

BARBARA A. EVERLY, CLERK

ORDER AND AMENDED
JUDGMENT BY DEFAULT FOR
WANT OF APPEARANCE

BE IT REMEMBERED that on this 28th day of March,
1990, this cause comes on for hearing, Plaintiff appearing by James
H. Cossitt, Payer, Hunziker & Cossitt, attorneys at law, and
Defendant appearing not nor anyone for him. Plaintiff filed an
Application for Relief from Judgement pursuant to Bankruptcy Rule
9024 (FRCP 60). Having heard the arguments of counsel, the Court
FINDS that the facts are as alleged in the Application, and that
Plaintiff is entitled to the relief herein awarded under Bankruptcy
Rule 9024.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Plaintiff is awarded judgment, pursuant to F.R.B.P. 7055(b)(2), against Defendant Common Title Bond & Trust pc as follows:

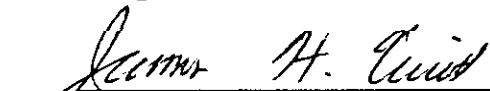
(a) that the Deed of Trust and Assignment of Rents filed in the office of the Recorder of Hamilton County, Iowa on December 30, 1987 in Book 173, pages 360-362 (Inst. # 873341) creates no lien, claim or interest on the property described in the Complaint or proceeds from the sale of that property;

(b) that any lien, claim or interest created by the Deed of Trust and Assignment of Rents is null and void as against the property described in the Complaint or proceeds from the sale of that property.



JUDGE, U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

Prepared and Submitted by:


James H. Cossitt,
ATTORNEY FOR TRUSTEE

Clerk to mail copies to:

3-28-90,
Jm

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